

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Deutsche Bank Trust Company Americas, in its capacity as successor
indenture trustee for certain of Senior notes, et al

INDEX#: 1:11-CV-04784-RJH

against

Plaintiff(s)

Adaly Opportunity Fund TD Securities Inc. c/o Adaly Investment Management
Co.,

Defendant(s)

AFFIDAVIT OF SERVICE

State of New York }
County of New York } ss.:

The undersigned, being duly sworn, deposes and says;

Deponent is not a party herein, is over 18 years of age and resides in Wheatley Heights, New York

That on **11/14/2011 at 10:28 AM at 167 Brooklyn Avenue, Huntington, NY 11743**

deponent served a(n) **Summons In A Civil Action and Second Amended Complaint, New York Amended Exhibit A**
on **Leslie Payne** defendant therein named,

by delivering a true copy of each to said defendant personally;

deponent knew the person so served to be the person described as said defendant therein.

Description of Person Served:

Gender: Male

Skin: Black

Hair: Gray

Age: 65

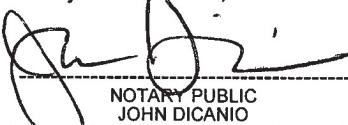
Height: 5ft9in-6ft0in

Weight: 161-200 Lbs.

Other:

MILITARY SERVICE: Person spoken to was asked whether the recipient was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

Sworn to before me this
16th day of November, 2011



NOTARY PUBLIC
JOHN DICARIO
NOTARY PUBLIC STATE OF NEW YORK
WESTCHESTER COUNTY
LIC. # 01D1497768
COMM EXP. 2/11/2015



Russell Webb
License No.1216146